GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue (Commercial Taxes) Department - Case under the Prevention of Corruption Act, 1988 (As amended by Act 16 of 2018) for possession of assets disproportionate to his known sources of income against Sri Pounjula Nagendra Prasad, S/o.Late P.Kondaiah, the then Assistant Commissioner (State Tax), Kurnool-1 Circle, O/o. Joint Commissioner (State Tax) of Commercial Taxes Department, Kurnool district, now retired from service from O/o.CCST on 31.10.2020 - Case registered on 13.02.2019 - Charge sheet was filed before Hon'ble Court of Spl.Judge for Trial of SPE & ACB Cases, Kurnool on 29.03.2024 - Departmental proceedings initiated under Rule 9 of A.P.Revised Pension Rules, 1980 in D.A.Case - Article of charges framed under Rule 20 of APCS (CC&A) Rules, 1991 - WSD submitted - Examined - Appointment of Inquiry Officer - Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.RT.No. 1250 Dated: 13-10-2025

Read the following:-

1. R.M. dated 16.02.2019 in Cr.No.2/RCA-KUR/2019 u/s.13(1)(b) of PoC (Amendment) Act, 2018 of ACB, Kurnool Range, Kurnool.
2. From the DG, ACB, Lr.Rc.No.12/RCA-KUR/2019 in preliminary report dated 04.03.2021.
3. G.O.Ms.No.162, Revenue (Vigilance-II) Dept., dated 08.07.2021.
4. From the DG, ACB, Lr.Rc.No.12/RCA-KUR/2019 in attachment of additional properties dated 15.07.2021.
5. G.O.Ms.No.300, Revenue (Vigilance-II) Dept., dated 28.10.2021.
6. From the DG, ACB, Lr.Rc.No.12/RCA-KUR/2019 in final report dated 12.07.2023.
7. G.O.Ms.No.89, Revenue (Vigilance-VI) Dept., dated 05.03.2024.
8. From the DG, ACB, Lr.Rc.No.12/RCA-KUR/2019, dated 04.04.2024.
9. From the DG, ACB, Lr.Rc.No.12/RCA-KUR/2019, dated 03.05.2024.
10. G.O.Rt.No.534, Revenue (Vigilance-VI) Dept., dated 05.08.2024.
11. G.O.Rt.No.535, Revenue (Vigilance-VI) Dept., dated 05.08.2024.
12. From the CCST's, Lr.Ref.No.V1/837/2018, dated 14.09.2024.
13. Written Statement of Defence of Sri Pounjula Nagendra Prasad, AC (ST) (Retd.), dated 26.10.2024.
14. Govt.Memo.No.REV01-CCST0CCTV(ACBC)/4/2018-VIGI-II (Computer No. 731958), dated 28.07.2025.
15. From the CCST's, Lr.Ref.No.V1/837/2018, dated 06.08.2025.

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ORDER:

Whereas, an inquiry under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, is being conducted against Sri Pounjula Nagendra Prasad, the then Assistant Commissioner (State Tax), Kurnool-1 Circle, O/o.Joint Commissioner (State Tax) of Commercial Taxes Department, Kurnool district, now retired from service from O/o.CCST on 31.10.2020 the AO during the check period from 01.10.1987 to 15.02.2019 intentionally enriched himself illicitly and is in possession of disproportionate assets worth Rs.1,02,41,559/- as against his known sources of income and failed to explain satisfactorily. That the AO had given hand loans on interest without permission from the competent authority. He didn't submitted APRs for the years 1996, 1997, 2003 to 2006, 2008 to 2011, 2013 to 2016 and 2018 and hereby violated service rules. He had obtained permission from the competent authority for the purchase and construction of Plot No.24 (duplex house), Anantapur and Flat No.407, Anantapur by intentionally showing less amounts, even though the actual cost is higher as evaluated by the DEE, ACB, Vijayawada and thereby violated service rules and that the AO had purchased house site for Rs.10,000/- and got registered in the name of his wife vide Document No.4943/1992 of SRO, Kurnool, dt.16.09.1992

without taking prior permission from competent authority and thereby violated service rules.

2. Whereas, in the reference 10th read above, Govt., issued sanction orders initiating departmental proceedings in disproportionate assets case against Sri P.Nagendra Prasad, Assistant Commissioner (State Tax), Kurnool-1 Circle, Kurnool district (now retired) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

3. Whereas, in the reference 11th read above, Govt., issued orders framing article of charges in disproportionate assets case against Sri P.Nagendra Prasad, the then Assistant Commissioner (State Tax), Kurnool-1 Circle now retired from service on 31.10.2020 under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

4. Whereas, in the reference 13th read above, the retired Charged Officer has submitted his explanation stating that the issuance of orders issued vide references 10th and 11th read above are prohibited even by Rule 9(2)(b)(ii) of the A.P. Revised Pension Rules, 1980. It is in clear violation of interdiction contained in the said Rule 9(2)(b)(ii) of the A.P.Revised Pension Rules, 1980. Beyond 15.02.2023 no adverse proceedings can be initiated against him for the first time for the alleged violation of Rule 3 of A.P.Civil Services (Conduct) Rules, 1964 occurred between 01.10.1987 to 15.02.2019. They are applicable only to the Government servants and to the deemed disciplinary proceedings within the meaning of Rule 9(2)(a) of the A.P. Revised Pension rules, 1980. Thus, the even limited fiction created in Rule 9(2)(a) of the A.P.Revised Pension Rules, 1980 also can't sustain the Articles of Charges issued in the references 10th and 11th read above, they are patently illegal, without jurisdiction and not on merits of the charges framed against him.

5. In this regard, it is stated that the AO was trapped on 07.12.2018 while the CO is in service and the CO kept under suspension vide Proceedings of CCST's Ref.No.V1/837/2018, dt.11.12.2018. The AO was retired from service on 31.10.2020. The Rule 1(2)(6)(a) of A.P.Revised Pension Rules, 1980 is reads as follows:-

> "(6) For the purpose of this rule-(a) departmental proceedings shall be deemed to be instituted on the date of which the statement of charges is issued to the Government servant or pensioner or if the Government servant has been placed under suspension from an earlier date; on such date".

Further, as per the clarification given by the Finance (HR.III-Pension) Department vide their Circular Memo.No.993083/FIN01-HR0CL/9/2019-HR-III, dt.15.03.2020 that "the date of occurrence of the event is always the date of which the effect of the event is fell or found out in Rule 9(2)(b)(ii) of Andhra Pradesh Revised Pension Rules, 1980 (as per the judgment given by the Hon'ble High Court in W.P.No.38901 of 2017".

6. And whereas, it is considered to appoint an Inquiry Officer to inquire into the charges framed against the afore-mentioned Retired Charged Officer.

7. Now, therefore, in exercise of the powers conferred by Sub-Rule (2) of Rule 20 of the APCS (CC&A) Rules, 1991, the Government hereby appoints Sri A.Ravindranath Reddy, Joint Commissioner (State Tax), Chittoor Division as the Inquiry Officer to inquire into the charges framed against the Charged Officer i.e., Sri Pounjula Nagendra Prasad, the then Assistant Commissioner (State Tax), Kurnool-1 Circle, O/o. Joint Commissioner (State Tax) of Commercial Taxes Department, Kurnool district, now retired from service from O/o.CCST on 31.10.2020 in disproportionate assets case. The Inquiry Officer is directed to submit his inquiry report, in duplicate, with his attestation, within two months.

8. Copies of the Article of Charges framed against the Retired Charged Officer along with the served copies, and Written Statement of Defence and related documents, are enclosed for ready reference.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri A.Ravindranath Reddy, Joint Commissioner (State Tax),
Chittoor Division & Inquiry Officer (through the
Chief Commissioner of State Tax, Andhra Pradesh,
Kunchanapalli, Guntur district as well as mail)
The Chief Commissioner of State Tax, Andhra Pradesh,
Kunchanapalli, Guntur district (with a request to
provide all necessary documents relating to this
D.A. case to the Inquiry Officer and expedite to
complete the Inquiry within the stipulated period)
The Retired Charged Officer Sri Pounjula Nagendra Prasad,
the then AC (ST), Kurnool-1 Circle, O/o.JC (ST) of
C.T. Dept., Kurnool district (through the JC (ST),
Chittoor Division)
The Secretary to Vigilance Commissioner, Andhra Pradesh
Vigilance Commission for favour of information
SF/SCs (Computer No.731958)

//FORWARDED: BY ORDER//

SECTION OFFICER